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**37058-051605**

**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**MAY 16, 2005  
2:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**1. Call to Order--Roll Call.**

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

**NOTICE:**

Today's Council meeting will be replayed on Channel 3 on Thursday, May 19, 2005, at 7:00 p.m., and Saturday, May 21, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE WEDNESDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), TO OBTAIN AN APPLICATION.

## **2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

Proclamation declaring May 2005 as National Historic Preservation Month.  
**File #3-216**

Second Annual Architectural Review Board Recognition Awards.  
Robert N. Richert, Chair.  
**File #80-249**

Proclamation declaring May 15 – 21, 2005 as National Police Week.  
**File #3-5**

Proclamation declaring May 15 – 21, 2005 as Emergency Medical Services Week.  
**File #3-354**

Proclamation declaring May 15 – 21, 2005 as National Public Works Week.  
**File #3-183**

Proclamation declaring May 2005 as Bike Month.  
**File #3-442**

3. **CONSENT AGENDA**  
**Approved (7-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

C-1 Minutes of the regular meeting of Council held on Monday, April 4, 2005, and recessed until Tuesday, April 12, 2005.

**RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.**

C-2 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**

**File #110-132**

- C-3        A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.  
**RECOMMENDED ACTION: Concur in the request.**  
**File #132**
- C-4        A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 6, 2005, at 2:00 p.m., or as soon thereafter as the matter may be heard, in connection with appropriation of additional funds for the Department of Social Services.  
**RECOMMENDED ACTION: Concur in the request.**  
**File #132**
- C-5        A communication from Jennifer Pfister tendering her resignation as a member of the Roanoke Valley-Alleghany Regional Commission.  
**RECOMMENDED ACTION: Accept resignation and receive and file communication.**  
**File # 536**
- C-6        A communication from the City Manager requesting a closed session to discuss the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to §2.2-3711 (A)(3), Code of Virginia (1950), as amended.  
**RECOMMENDED ACTION: Concur in the request.**  
**File #132**

### **REGULAR AGENDA**

#### **4. PUBLIC HEARINGS: NONE.**

## 5. PETITIONS AND COMMUNICATIONS:

- a. Request of the Western Virginia Land Trust Board to speak in support of the Carvins Cove conservation easement. Roger Holnback, Executive Director, Spokesperson. (Sponsored by Council Members Brenda L. McDaniel and M. Rupert Cutler.)

**Referred to the City Manager for report and recommendation.**

**File #28-417-468**

- b. Request to present a briefing on Operation Safe Summer. John L. Brownlee, United States Attorney, Spokesperson. (Sponsored by the City Manager.)

**File #5**

## 6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of Technology Trust funds from the State Compensation Board for reimbursement to the Circuit Court Clerk's Office, in the amount of \$36,590.00.

**Adopted Budget Ordinance No. 37058-051605 and Resolution No. 37059-051605. (7-0)**

**File #60-108-214**

2. Appropriation of \$164,275.00 in connection with flood insurance proceeds as a result of flooding on September 28, 2004.

**Adopted Budget Ordinance No. 37060-051605. (7-0)**

**File #58-60-237**

3. Establishment of the Washington Park/Williamson Road Rehabilitation District, and expansion of the Melrose Rehabilitation District.

**Adopted Resolution No. 37061-051605. (7-0)**  
**File #165-178-200**

4. Appropriation of \$40,355.00 received from the Western Virginia Water Authority in connection with rehabilitation of trails within the Carvins Cove Natural Reserve.

**Adopted Budget Ordinance No. 37062-051605. (7-0)**  
**File #60-468**

5. Amendment of the City Code to allow trash and recyclables collection times in the Central Business District to be established by rules and regulations promulgated by the City Manager.

**Adopted Ordinance No. 37063-051605. (7-0)**  
**File #24-144-282**

6. Appropriation of funds in connection with the State Asset Sharing and Federal Forfeited Property Sharing programs.

**Adopted Budget Ordinance No. 37064-051605. (7-0)**  
**File #5-60**

7. Adoption of a resolution in support of an application for allocation of Virginia Department of Transportation Local Partnership Funds for the Signal & ITS Improvement Project.

**Adopted Resolution No. 37065-051605. (7-0)**  
**File #20-77**

b. CITY ATTORNEY:

1. Amendment of the City Code to provide a definition of the term "park", in order to strengthen protection of the park and greenway system.

**Adopted Ordinance No. 37066-051605. (7-0)**  
**File #24-67-379**

## **7. REPORTS OF COMMITTEES:**

- a. Request of the Roanoke City School Board for appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Budget Ordinance No. 37067-051605. (7-0)**  
**File #60-467**

- b. Presentation of a Memorandum of Understanding between the Roanoke Redevelopment and Housing Authority and the City of Roanoke. Ben J. Fink, Chair, Spokesperson.

**Adopted Resolution No. 37068-051605. (7-0)**  
**File #178**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

## **10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Council Member Lea recognized Stephanie M. Moon, CMC, Deputy City Clerk, who was recently appointed as Secretary of the Virginia Municipal Clerks Association.**  
**File #38-80**

**Council Member Lea commended middle and high school students from the Roanoke City Public Schools who participated in the New York NAACP ACT-SO (Academic, Cultural, Technology, Scientific Olympics) competition in the categories of poetry, dance, essays, music, chemistry, filmmaking, playwriting, dramatics, oratory, musical vocals and entrepreneurship.**  
**File #80-467**

**Council Member McDaniel commended the City's efforts with regard to Phase I of traffic calming on Grandin Road, S. W., between Memorial and Westover Avenues.  
File #20**

**Council Member Wishneff commended the Mill Mountain Theater on the recent production of Mahalia.  
File #349**

**Council Member Cutler read an article from the Council Update with regard to the status of the Dr. Martin Luther King, Jr. Memorial Bridge.  
File #102**

**Council Member Dowe commended the achievements of the following educators in the Roanoke City Public School System:**

- **Thomas (Tom) F. Fitzpatrick – Roanoke City Public Schools Teacher of the Year**
- **Michelle M. Dahlquist – McGlothlin Award Winner**
- **Cynthia D. Delp – Curry School Principal of the Year**
- **Cameron Srpán – Outstanding High School Chemistry Teacher**

**He also commended the outstanding contributions of all Roanoke City Public School teachers and administrative staff.  
File #80-467**

**Vice-Mayor Fitzpatrick called attention to fallen trees along the banks of the Roanoke River in Wasena, Smith and River's Edge Parks. He requested that the matter be referred to the City Manager for report with regard to maintaining public and private property adjacent to the Roanoke River.**



**The City Manager advised that at the June 6 Council work session City staff will present a briefing on the Roanoke River and the appearance of public and private property adjacent to the river.**

**File #67-240**

- b. **Vacancies on certain authorities, boards, commissions and committees appointed by Council.**

## **11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. Shaheed Omar, 1219 Loudon Avenue, N. W., presented proposed changes to the citizen complaint process administered by the Police Department.**

**File #5-66**

**Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, expressed appreciation for the City's willingness to perform a cost analysis with regard to renovating or constructing a new Victory Stadium. He spoke in support of maintaining Victory Stadium as a memorial to those veterans who defended their country in time of war.**

**File #122**

**Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., advised that development in historic Gainsboro has been hampered by the City's policy of preventing private investment in single family home ownership. She expressed concern with regard to road blocks that have prevented the establishment of a small business outside of the Henry Street District; and possible violation by the City of the Gainsboro Comprehensive Plan. She stated that the Blue Ridge Technical Academy may be relocated**

from a historic structure within the confines of the Gainsboro area which is now under consideration as a historic district.  
File #66-216-424-467

## **12. CITY MANAGER COMMENTS:**

The City Manager advised that she was unaware of the allegations made by Ms. Bethel; therefore, the Assistant City Manager for Community Development will meet with Ms. Bethel immediately following the Council meeting to obtain more information.

The City Manager called attention to the successful Local Colors celebration which was held on May 14 and 15 on the City Market.

She also called attention to Hazardous Waste Collection Day which was held at the Hollins Road Transfer Station on Sunday, May 15, over 300 families pre-registered for the event and the average wait time for participants was between 15 – 18 minutes which was considerably less than in prior years. She stated that the next Hazardous Waste Collection Day will be held on Sunday, August 7, 2005.

File #42-104-144-431

## **CERTIFICATION OF CLOSED SESSION. (7-0)**

Aaron Ewert was appointed as a member of the Youth Services Citizen Board for a term ending May 31, 2008.

File #15-110-304

**PURSUANT TO RESOLUTION NO. 37042-050405 ADOPTED BY THE COUNCIL ON WEDNESDAY, MAY 4, 2005, THE 7:00 P.M. COUNCIL MEETING HAS BEEN CANCELLED.**